

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TEXAS HEALTH AND HUMAN
SERVICES COMMISSION

Plaintiff,

V.

Civil Action No. 3:15-cv-3851

UNITED STATES OF AMERICA,
UNITED STATES DEPARTMENT
OF STATE, JOHN KERRY in his
Official Capacity as SECRETARY OF
STATE, UNITED STATES
DEPARTMENT OF HEALTH &
HUMAN SERVICES,
SYLVIA BURWELL, in her Official
Capacity as SECRETARY OF
HEALTH & HUMAN SERVICES,
OFFICE OF REFUGEE
RESETTLEMENT, ROBERT CAREY
in his Official Capacity as Director
of the OFFICE OF REFUGEE
SETTLEMENT, and
INTERNATIONAL RESCUE
COMMITTEE, INC.,
Defendants.

TEMPORARY RESTRAINING ORDER AGAINST FEDERAL DEFENDANTS

After considering Plaintiff Texas Health and Human Services Commission's Amended Application for Temporary Restraining Order against Federal Defendants, United States of America, United States Department of State, John Kerry, in his official capacity as Secretary of State, United States Department of Health and Human Services, Sylvia Burwell in her official capacity as Secretary of Health and Human Services, Office of Refugee Resettlement, Robert Carey, in his

official capacity as Director of the Office of Refugee Resettlement, as well as the pleadings and affidavits, the Court FINDS as follows:

- A. There is a substantial likelihood that Plaintiff will prevail on the merits of its claims against Federal Defendants;
- B. There is a substantial threat that irreparable injury will result if the injunction is not granted;
- C. The threatened injury outweighs the threatened harm to the Federal Defendants; and
- D. Granting the order will not disserve the public interest.

IT IS THEREFORE ORDERED THAT:

Federal Defendants are restrained from resettling refugees that are scheduled to arrive in Texas December 10, 2015 due to their violations of statutory duty to consult with the State in advance of placing refugees in Texas.

SIGNED on _____, 2015, at _____ a.m./p.m.

DAVID C. GODBEY
U.S. DISTRICT JUDGE